

ORDINANCE 07-05

AN ORDINANCE AMENDING TITLE 7, CHAPTER 4 OF THE TOWN OF NOLENSVILLE MUNICIPAL CODE

WHEREAS, the Charter of the Town of Nolensville, Tennessee authorizes the Town to pursue the enforcement of certain activities necessary to promote the health, safety, and welfare of the inhabitants of the Town of Nolensville; and

WHEREAS, the Board of Mayor and Alderman for the Town of Nolensville wish to exercise its authority to limit careless driving within the Town of Nolensville.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Nolensville, Tennessee that,

Section 1. Chapter 4 shall be added to Title 7, as follows:

7-401. Definitions

7-402. Operation and Regulation of alarms

7-403. Violation and penalty

7-401. Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicated a different meaning.

1. Alarm Business. Means the business of any individual, partnership, corporation, or other entity engaged in selling, leasing, maintaining, servicing, repairing, altering replacing, moving or installing any alarm system or in causing any alarm system to be sold, leased, maintained, service, repaired, altered, replaced, moved or installed in or on any building, structure of facility.

2. Alarm System means any mechanical, electrical and/or electronic system designed to:

A. Record, view, monitor, protect against, avoid or reduce the probability of personal or property loss or injury resulting from fire, smoke, heat, burglary, theft, shoplifting, pilferage or other losses of that type.

B. Monitor, detect or prevent intrusion.

C. Detect and summon aid for other emergencies.

Alarm system does not include any such system which is installed in a motor vehicle.

3. Alarm User means the person or company or entity of any kind in control of any

building, structure or facility or portion thereof wherein an alarm system is maintained.

4. False Alarm means an alarm signal eliciting a response by the police or fire department when a situation requiring a response by the police or fire department does not in fact exist; but this definition does not include an alarm signal caused by unusually violate conditions of nature nor does it include other extraordinary circumstances not reasonably subject to control by the alarm user.

7-402. Operation and Regulation of Alarms.

- A. Whenever an alarm is activated in the city, thereby requiring an emergency response to the location by authority personnel, a police and/or fire officer on the scene of the activated alarm shall determine whether the emergency response was in fact required as indicated by the alarm system or whether in some way the alarm system malfunctioned and thereby activated a false alarm.
- B. If the police or fire officer at the scene of the activated alarm system determines the alarm to be false and no emergency exists, then such officer shall submit a report of the false alarm to the respective chief. A written notification of emergency response and determination of the response shall be mailed or delivered to the alarm user.
- C. The authority shall have the right to inspect any alarm system on the premises to which response has been made.
- D. It shall be a violation of this article to intentionally cause a false alarm, except in connection with the testing or servicing of an alarm system as permitted in this article. Any person who intentionally causes a false alarm in violation of this article shall be subject to the penalty provision in this article.
- E. There shall be provided to the alarm user a ten-day grace period during the initial installation of the alarm system. The penalty provisions in this article will not apply for false alarms activated during the grace period.
- F. Any alarm business testing or servicing any alarm system shall notify the authority and instruct such authority of the location and time of such testing and servicing, and upon completion of the test or service. This subsection shall apply to any testing period after the initial installation period has ceased. The provisions in this section regarding false alarms will not apply to the alarm user is prior notice of such testing has been made to the respective authority as outlined in this section.

7-403. Violation and penalty.

It is hereby found and determined that more than three false alarms are excessive and constitute a public nuisance. Whenever an alarm system has produced three false alarms within a 12-month period, the alarm user shall be guilty of violating this article for each subsequent false alarm. Each violation of this article shall be punishable by a fine of \$25.00, except that any person who intentionally causes a false alarm in violation of this article shall be subject to a penalty not to exceed \$50.00.

Section 2. This ordinance shall become effective on the first day of the month following the final passage of this ordinance the public welfare requiring it.

Beth Lothers, Mayor

Attest: _____
Cindy Lancaster, Town Recorder

Approved by: _____
Robert J. Notestine, III, Town Attorney

Passed 1st Reading: _____

Passed 2nd Reading: _____